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March 1998**

**EPA Superfund
Explanation of Significant Difference
for the Record of Decision:**

**United Heckathorn Company
Richmond, CA
11/29/1996**





**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105**

**United Heckathorn NPL Superfund Site
Richmond, California
Explanation of Significant Differences
November 29, 1996**

I. Introduction

Pursuant to Section 117(c) of the Comprehensive Environmental Response, Compensation and Liability Act, as amended, (CERCLA), the United States Environmental Protection Agency (EPA) is issuing this explanation of significant differences (ESD) for the United Heckathorn Superfund Site located in Richmond, California (the Site). This explanation of significant differences will be added to the Administrative Record for the Site. The Site Administrative Record is available for review by members of the public from 8 a.m. to 5 p.m. Monday through Friday at the U.S. EPA Region 9 Superfund Records Center, 95 Hawthorne Street, Suite 403S, San Francisco, California. Appointments to review the Site Administrative Record can be made by calling the U.S. EPA Region 9 Superfund Records Center at (415) 536-2000.

II. Summary of Site History, Contamination Problems and Selected Remedy

From 1947 to 1966, portions of the United Heckathorn Superfund Site (located in the Port of Richmond on San Francisco Bay) were occupied by a pesticide formulation business. Site soils and sediments in Richmond Harbor were contaminated by chlorinated pesticides, particularly DDT and dieldrin, released from the formulation activities.

EPA listed the Site on the CERCLA National Priorities List in March 1990. EPA's investigation of the Site found unacceptable levels of DDT and dieldrin in marine sediment in the Lauritzen Channel and Parr Canal. EPA concluded that DDT and dieldrin contamination in these two areas if not addressed by cleanup actions "may present an imminent and substantial endangerment to public health, welfare, or the environment." Most importantly, DDT and dieldrin were found at unhealthy levels in fish in Richmond Harbor and despite posted warnings and a state advisory, subsistence and recreational fishing occurs in Richmond Harbor.

On October 26, 1994, EPA issued its CERCLA Record of Decision which selected the following cleanup and other response actions for the Site:

dredging of all young bay mud from the Lauritzen Channel and

- Parr Canal, with offsite disposal of dredged material;
- placement of clean material in the dredged areas of the Lauritzen Channel and Parr Canal after the completion of the dredging;
- construction of a cap around the former formulation area to prevent soil erosion;
- a deed restriction limiting use of the property to non-residential uses; and
- marine monitoring to verify the effectiveness of the remedy.

Pursuant to a court-approved Consent Decree with EPA, the Montrose Chemical Corporation of California, Inc. (Montrose) has agreed to conduct the dredging of the Lauritzen Channel and Parr Canal as well as the placement of clean material in the Channel and Canal following conclusion of the dredging.

Since August of this year, contractors hired by Montrose have been conducting the dredging activities in the Parr Canal and Lauritzen Channel and shipping the dredged sediment offsite, by rail, to a permitted disposal facility. Initial dredging activities have been completed in the Parr Canal. However, as of today, despite on-going dredging in the Lauritzen Channel since mid-September, a substantial portion of the Lauritzen Channel, containing some of the highest concentrations of DDT and dieldrin, has not yet been dredged.

III. Description of Significant Differences and the Bases for those Differences

As part of the public comment received prior to EPA's issuance of the CERCLA Record of Decision in 1994, the U.S. National Oceanic and Atmospheric Administration (NOAA), a federal agency authorized under CERCLA to protect certain natural resources, recommended that the dredging of the Lauritzen Channel and Parr Canal not be conducted during the period from December 1 to March 1 in order to protect the herring spawning season in San Francisco Bay. In the Response to Comments portion of the EPA 1994 Record of Decision, EPA agreed to abide by NOAA's request and EPA stated that "[EPA] will ensure that the remedy is not implemented between December 1 and March 1."

By this ESD, EPA is now authorizing and allowing marine response actions, including dredging and related activities, in the Lauritzen Channel and Parr Canal, to be conducted on and after December 1. This decision is based on the following considerations. First and foremost, NOAA, having been apprised of the situation, including the status and progress of dredging in the

Lauritzen Channel, supports continuing the dredging and related activities in order to complete the marine remedial actions as soon as possible. Second, the areas being dredged are physically isolated from the rest of Richmond Harbor and San Francisco Bay by means of a silt curtain and daily turbidity testing is conducted to confirm that the silt curtain is functioning properly. EPA believes these safeguards will continue to prevent the release of dredged sediments into the larger ecosystem of Richmond Harbor during dredging activities. Third, if weather conditions or testing results suggest dredging activities could or would result in a release of sediment outside the dredging area, EPA has full authority to order the dredging activities to cease until favorable conditions return or are restored. And fourth, given that a substantial portion of the Lauritzen has been dredged already, significant and costly response actions may have been required to stabilize sediment conditions in the Lauritzen Channel if further dredging had been postponed until March 1.

IV. Support Agency Comments

In addition to comments from NOAA, the U.S. Department of the Interior, another federal CERCLA natural resource trustee agency, has indicated that it supports continuation of dredging and related activities on and after December 1 in order to complete the marine remedial actions as soon as possible.

V. Determination

Considering the change to the selected remedy described in this ESD, EPA believes that the remedy remains protective of human health and the environment, and also complies with state and federal requirements that are applicable or relevant and appropriate to this remedial action, and is cost effective.


John Wise
Deputy Regional Administrator

11/29/96
Date

